

REMARKS

This is in response to the Office Action mailed on July 5, 2007. Claims 1-30 were pending in the application, and the Examiner rejected all claims. With this amendment, claims 1 and 26 are amended, claims 2, 3 and 27-29 are canceled, and the remaining claims are unchanged in the application.

On pages 2 and 3 of the Office Action, the Examiner objected to claim 14, and rejected it under 35 U.S.C. §112, first paragraph. The Examiner asserted that the term “dictation grammar” could mean either a grammar relating to anticipated dictation speech, or one related to unanticipated dictation speech. Applicant respectfully traverses the Examiner’s objection and rejection. Applicant respectfully requests that the Examiner provide some type of documentation outlining the Examiner’s asserted generally known meaning of “dictation grammar”, so that Applicant has a chance to review and rebut that definition, if necessary. Similarly, Applicant asserts that the term “dictation grammar” is broad enough to include both a grammar that can recognize anticipated speech, and one that can recognize unanticipated speech. Therefore, Applicant submits that there is no ambiguity in the claim, and that it is in proper form.

On pages 3 and 4 of the Office Action, the Examiner rejected claims 1-3, 7, 19-20, 26, 28 and 30 under 35 U.S.C. §102(b) as being anticipated by the Yuen US Patent Publication No.: 2003/0018476. On page 7 of the Office Action, the Examiner rejected claims 3-6 and 29 under 35 U.S.C. §103(a) as being unpatentable over Yuen in view of US Patent No. 5,455,854 to Dilts. Applicant respectfully traverses the Examiner’s rejections.

Independent claim 1 has been amended to include dependent claims 2 and 3. Further, independent claim 1 has been amended to clarify that speech related applications include at least one of speech recognition enabled applications in speech synthesis enabled applications. Therefore, claim 1 has also been amended to clarify that speech processing tasks comprise one or more of speech recognition and speech synthesis.

Claim 1 is therefore now specifically drawn to a computer readable medium having computer readable instructions stored thereon which include a managed code layer that has a speech-related object model, a non-speech related object model, and wherein the speech-

related object model and the non-speech related object model are accessed using accessing techniques that are the same for both object models. This solves a number of problems associated with prior speech related applications. For instance, in prior systems, speech related tasks (such as speech recognition or speech synthesis) were performed by using a speech enabled application to access the speech recognition engine or synthesizer in a more direct way, requiring the developer of the application to understand the recognition engine and synthesizer. This also made it very difficult to change recognition engines or synthesizers, without incurring errors in the applications.

By contrast, the present system has a managed code layer that has both a speech related object model and a non-speech related object model, where the speech related object model is used by either a speech recognition enabled application or a speech synthesis enabled application to perform either speech recognition or speech synthesis, and the speech related object model and non-speech related object model are accessed using the same accessing techniques. Therefore, the developer of the speech enabled application need not have training specific to any given speech recognition engine or speech synthesis engine, but simply needs to know how to perform the general accessing techniques used by other non-speech related object models.

This type of system is neither taught nor suggested by the references cited by the Examiner. For instance, the cited portions of the Yuen et al. publication deal with creating a voice enabled web site from a non-voice enabled web site. The Yuen system harvests the elements of a non-voice enabled web site and places them into translation templates. The translation templates are used to translate those elements into voice enabled elements. The remaining elements are treated by placing them in a hierarchy which is processed in a specific way. See page 2, paragraphs 13-15. Further, in order to create the voice enabled web site, an object model is created that can be edited, such as by combining one or more objects in the object model, deleting them, modifying them, or adding them. See, for example, page 2, paragraph 18.

The portions of Yuen cited by the Examiner in rejecting claims 1-3 of the present application neither teach nor suggest a managed code layer that has both a speech related object

model and a non-speech related object model that are accessed using the same techniques, wherein the speech related object model is accessed by either a speech recognition enabled application or a speech synthesis enabled application to perform speech recognition or speech synthesis, and where applications can access the non-speech related object model to perform non-speech related tasks in the same way. This is simply neither taught nor suggested by the portions of Yuen et al.

Specifically, in addition to the portions of the reference cited by the Examiner on page 2, (which were addressed above) the Examiner cited page 3, paragraphs 45 and 46. However, both of these paragraphs specifically relate to a developer creating a voice application. For instance, paragraph 45 states “a developer or producer of a voice application according to an embodiment of the present invention...” and then goes not to describe how this is done. Paragraph 46 states “station 140 is equipped with a client software tool (CL) 141, which is adapted to enable the developer to create and deploy voice applications...” The CL 141 tool is then described in more detail. Thus, neither of the references either teach or suggest a managed code layer that includes the object models set out in independent claim 1.

Indeed, in rejecting original claim 1, on page 7 of the Office Action, the Examiner stated that Yuen only implies that speech and non-speech objects are accessed using the same techniques....” The Examiner then cited page 2, paragraph 18 of Yuen. Applicant submits that this is an improper test for anticipation. The statutory section cited by the Examiner to support the anticipation rejection states “a person shall be entitled to a patent unless...the invention was patented or described in a printed publication...more than one year prior to the date of application for patent...”. In other words, the invention must be patented or described. Some type of implication of the invention does not form a statutory basis for an anticipation rejection. The paragraphs of Yuen cited by the Examiner neither teach, nor suggest, nor even imply that both a speech related object model and a non-speech related object model are provided in a managed code environment and are accessed in the same way. Therefore, Applicant submits that independent claim 1 is allowable over Yuen et al.

On page 7 of the Office Action, the Examiner rejected original claim 3 as being obvious over Yuen in view of Dilts. The Examiner stated that Dilts “explicitly teaches a set of object models for speech and non-speech usage that are accessible using the same techniques...”. The Examiner cited columns 15-20 and 24-50 of Dilts. However, independent claim 1 (which now incorporates original claim 3) does not simply state that there are a set of object models for speech and non-speech usage. Instead, independent claim 1 makes clear that the speech related object model and the non-speech related object model can be accessed by one or more speech recognition enabled applications and speech synthesis enabled applications. On Applicants review of Dilts, Applicant was unable to find any reference to either speech recognition or speech synthesis anywhere in the cited portion of Dilts. Therefore, the Dilts references does not teach what the Examiner has attributed to it.

Instead, the cited portion of Dilts simply appears to place certain telephony operations in an object oriented environment. This is far from a system which teaches a speech-related object model and a non-speech related object model that can be accessed by a speech recognition enabled application or a speech synthesis enabled application to perform speech recognition or speech synthesis, wherein both object models are accessed in the same way. This is simply not found in either of the references cited by the Examiner.

Therefore, Applicant respectfully requests reconsideration and allowance of independent claim 1 and dependent claims 4-25, which depend from independent claim 1.

Independent claim 26 has been amended to incorporate the limitations of claims 27-29. Claim 29 was rejected on page 7 of the Office Action under 35 U.S.C. §103 as being unpatentable over Yuen in view of Dilts. Applicant respectfully traverses the Examiner’s rejection. Independent claim 26 is now specifically drawn to an object model that includes a set of speech-related objects exposing members that are accessible by applications that target managed code to perform speech related tasks “wherein the exposed members are accessible to perform at least one of speech recognition tasks and speech synthesis tasks, and wherein the exposed members are accessible using techniques that are the same as techniques that are used to access members exposed by non-speech related objects in a platform that contains the speech-

related objects." It is therefore, clear that, even if the Examiner were construing Dilts (which deals with telephone calls) as speech-related applications, Dilts does not now apply to independent claim 26. Independent claim 26 now specifically states that the exposed members in the speech-related objects are accessible to perform at least one of speech synthesis or speech recognition. This is neither taught nor suggested, nor even mentioned, by Dilts. Because the speech-related objects can be used to perform speech recognition or speech synthesis, claim 26 now further makes clear that the speech-related objects (which can be used to perform speech recognition or speech synthesis) are accessible using techniques that are the same as non-speech related objects in the same platform. Because the Examiner relied on Dilts to teach this feature of independent claim 26, and because Dilts simply neither teaches nor suggests the feature, Applicant submits that independent claim 26 is allowable over Dilts.

Applicant also submits that dependent claim 30, which depends from independent claim 26, is allowable as well.

In conclusion, Applicant submits that claims 1, 4-26 and 30 are in allowable form and are allowable over the references cited by the Examiner. Reconsideration and allowance of claims 1, 4-26 and 30 are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: /Joseph R. Kelly/

Joseph R. Kelly, Reg. No. 34,847
900 Second Avenue South, Suite 1400
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312